

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

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CLERK *M. J. Smith*
SO. DIST. OF GA.

RODNEY WAYNE GAINER,

Plaintiff,

vs.

CIVIL ACTION NO.: CV505-044

PEGGY COOPER, and JULIA SMITH,

Defendants.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Defendants' Motion for Summary Judgment is **GRANTED** in part, and **DENIED** in part. Summary Judgment is granted to Defendants on Plaintiff's Religious Freedom Restoration Act claim and Plaintiff's claims for injunctive relief. These claims are **dismissed**. Summary Judgment is denied as to Plaintiff's First Amendment and Religious Land Use and Institutionalized Persons Act claims for monetary damages. These claims remain pending.

SO ORDERED, this 9th day of NOVEMBER, 2006.

William T. Moore, Jr.
WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA